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ORIGINAL

FILED
Superior Court of California
County of Los Angeles

APR 07 2014
Sherri R. Carter, Executive Officer/Clerk
By Cristina Grijalva Deputy

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Attorney for Plaintiffs Darnaa LLC and Dana Wright

D62 Michael E. Stern
SUPERIOR COURT OF CALIFORNIA
COUNTY OF LOS ANGELES
CENTRAL DIVISION

BC541796

Darnaa, LLC and Dana J. Wright

CASE NO.

Plaintiffs

COMPLAINT FOR INTERFERENCE WITH
PROSPECTIVE ECONOMIC RELATIONS,
NEGLIGENT INTERFERENCE WITH
PROSPECTIVE BUSINESS RELATIONS,
INJUNCTION AND PUNITATIVE DAMAGES

vs.

GOOGLE INC and DOES 1 through 50
Inclusive,

Defendants.

BY FAX

Plaintiffs, DARNAA LLC, DANA J. WRIGHT, upon information and belief, alleges the following:

CIT/CASE: BC541796
LEA/DEF#:

RECEIPT #: CCH195707077

DATE PAID: 04/07/14 03:52 PM
PAYMENT: \$435.00 310

RECEIVED:

CHECK: \$435.00
CASH: \$0.00
CHANGE: \$0.00
CARD: \$0.00

JURISDICTION AND VENUE

1. This matter arises out of a business relationship between Plaintiffs and Defendant Google and does 1-10 within the Jurisdiction of the Los Angeles, Superior Court as the Defendant Google and does 1-10 do business throughout the State of California by its various websites all of which are accessible in Los Angeles County.
2. Venue is proper in this Court under California Code of Civil Procedure Section 395 as some of the wrongful conduct alleged herein occurred in this County as well as all other counties in the State of California. Defendant Google Inc and Does 1-10 do business in Los Angeles County by virtue of its accessibility in Los Angeles County of its website, www.google.com.

PARTIES

1. Plaintiff DARNAA LLC is a Limited Liability Company organized under the laws of the State of Connecticut since 2010.
2. Plaintiff Dana J. Wright is the Managing Member of DARNAA LLC
3. Defendant GOOLE INC and does 1-10 are a corporation doing business in all counties of the State of California including Los Angeles C. Said Defendants GOOGLE INC. and Does 1-10 own and operate a website known as YOUTUBE that is a very powerful promotional tool for artist to display their talent by virtue that YOUTUBE posts videos of artists on its sites. The posting of a video on YOUTUBE gives to any artist a way to acheive level of popularity that can lead to a huge career success. For new artists,

1 a posting of a video on YOUTUBE and the attraction of
2 many site visitors can become the most important element
3 in launching an artist's career. Artist like Justin
4 Beiber and Drake credit the popularity of their initial
5 videos on YOUTUBE as the most significant reason for
6 their global success. In like manner, the removal of a
7 video on YOUTUBE can be the death blow to a new artist's
8 career.

9
10 FACTS COMMON TO ALL CAUSES OF ACTION

11
12 4. Plaintiff DARNAA LLC owns all of the rights to an
13 extremely talented entertainer known as DARNAA.

14 5. DARNAA and been contracted with PLAINTIFF DARNAA LLC
15 and with its Managing Member, Plaintiff Dana J Wright
16 since 2010 to launch a career as an entertainer.

17 6. Plaintiff DARNAA LLC and Plaintiff Dana J. Wright have
18 invested over five million dollars into the career
19 development of DARNAA, the artist.

20 7. The investment and the career it supports is focused on
21 the style, appearance, dancing and singing ability of
22 DARNAA. As an independent record company, all of the
23 career related costs have been and are continuing to be
24 those of Plaintiffs soley.

25 8. In today's digital world, new independent artists need
26 exposure on YOUTUBE to catch the attention of the
27 public. The availability of a music video on YOUTUBE
28 is an essential tool for success of a new independent
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1 artist. One not need look any further that the meteoric
2 success of Justin Beiber who, before ever being signed
3 to a major record company label, posted his video on
4 YOUTUBE and that one event, garnered world-wide
5 attention with Justin Beiber becoming a global super-
6 star and reportedly earning hundreds of millions of
7 dollars for him and his those who invested in his
8 career.

9 9. In the words of the Plaintiffs, here is what happened
10 as she explained in two emails, Exhibits 1 and 2 hereby
11 incorporated by reference.

12 10. As these two emails clearly indicate, YOUTUBE
13 posted the video as the essential central element of
14 the marketing and promotional campaign created,
15 executed and funded by Plaintiffs to launch the career
16 of Darnaa.

17 11. Subsequently, without any proof or prior
18 notification, Defendants GOOGLE and Does 1-10, the
19 owners and operator of YOUTUBE, claimed a violation of
20 its TOU section #4, Section H. Even though Plaintiffs
21 DARNAA LLC and Dana J. Wright have demanded that
22 Defendants GOOGLE and Does 1-10 immediately reverse
23 their action in a Declaration under Oath affirming that
24 no such violation has occurred, said Defendants refuse
25 to remedy this behavior to the extreme detriment of
26 said Plaintiffs causing the irreparable harm by virtue
27 of this intentional interference of Economic Relations,
28 negligent interference of Economic Relations and the

1 probably destruction of an artist career. Attached as
2 Exhibit 3 is a true and accurate copy of the
3 declaration of Dana J. Wright to that was emailed to
4 Defendants GOOGLE and Does 1-10 on Thursday, April 3,
5 22014 to which said Defendants have not responded to
6 and thus the need for Injunctive relief to prevent a
7 loss of five million dollars and the destruction of a
8 budding career.
9

10
11 FIRST CAUSE OF ACTION:
12 INTENTIONAL INTERFERENCE WITH PERSPECTIVE ECONOMIC
13 RELATIONS
14

15 12. Plaintiff repeats and incorporates by this
16 reference all of the allegations contained in
17 paragraphs 1-11.

18 13. As noted hereinabove, Plaintiff would have
19 greatly benefitted from the successful launching of the
20 career of Artist by receiving normal and customary
21 commissions and fees attributable to the success of the
22 career of this artist.

23 14. Defendants GOOGLE and Does 1-10 are very
24 sophisticated internet content distributors and know
25 the value of the posting of new artist music videos on
26 YOUTUBE. More importantly, said Defendants at all times
27 knew the devastating negative impact the taking down of
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1 a music video from YOUTUBE would have on an artist's
2 career.

3 15. The removal of the career by the baseless and
4 unsubstantiated claimed violation of Defendant's TOU #4
5 section H was intentional, wrongful and tortious.

6 16. Defendants GOOGLE and Does 1-10 intended to
7 disrupt the business relationship of Plaintiffs as said
8 Defendants knew the draconian consequences of their
9 tortious and intentional behavior.

10 17. In fact, the relationship between Plaintiffs and
11 concert promoters, potential sponsors, product
12 endorsement representatives, foreign licensees and the
13 like have been and continue to be disrupted.

14 18. Plaintiffs DARNAA LLC and DANA J. WRIGHT have
15 been economically harmed by virtue of the conduct of
16 Defendants GOOGLE and does 1-10 as described more
17 particularly hereinabove.

18
19 SECOND CAUSE OF ACTION
20 NEGLIGENT INTERFERENCE WITH PROSPECTIVE ECONOMIC
21 RELATIONS
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23 19. Plaintiffs repeat and hereby incorporate by this
24 reference all of the allegations of paragraphs 1-13 and
25 paragraphs 17 and 18 above.

26 20. Plaintiff alleges that all of said conduct of
27 Defendants GOOGLE and DOES 1-10 was a result of said
28 Defendants failure to exercise reasonable care with the
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1 baseless and unjustifiable alleged violation of said
2 Defendants TOU #4 Section H.

3 21. There has never been any such violation of said
4 TOU #4 Section H and Plaintiff's DARNAA LLC and Dana J.
5 Wright were so notified by email of no such violation.
6
7

8 **THIRD CAUSE OF ACTION**
9 **PUNITIVE DAMAGES**

10 22. Plaintiffs hereby re-allege by incorporating by
11 this reference all of the allegations of paragraphs 1-
12 18.

13 23. Plaintiffs allege that said conduct was done
14 maliciously with the expressed intention of destroying
15 the business of Plaintiffs.

16 24. Plaintiffs seek this Court to impose Punitive
17 damages as against Defendants GOOGLE as their behavior
18 in this instance demonstrates a reckless disregard of
19 the economic position of Plaintiffs but also the desire
20 of a gifted artist to realize her dreams and engage in
21 a career that has been her life's dream. Defendants
22 conduct was wilful, wanton, malicious, with a
23 conscious, deliberate and reckless disregard for the
24 rights of Plaintiffs so as to justify an award of
25 exemplary and punitive damages.
26

27 **FORTH CAUSE OF ACTION**
28 **PERMANENT INJUCTION**

1
2 25. Plaintiff hereby re-alleges by incorporating by
3 this reference all of the allegations contained in
4 paragraphs 1-21.

5 26. Money damages that may be awarded after a trial
6 on the merits of Plaintiff's claims cannot, in any way,
7 compensate for the central assets of Plaintiff's
8 business, the career of a new artist. Each day that
9 passed allowing Defendants to continue of their course
10 of conduct will further deteriorate the possibility of
11 the artist, Darnaa, from being able to launch her
12 career even after over five millions dollars have been
13 expended to do such. The passage of time alone will
14 destroy this opportunity that Plaintiffs have so
15 brilliantly invested and created. To win after a trial
16 in a year or so with be meaningless because no one can
17 calculate the damages of a career that has been
18 destroyed before it was launched. The removal of a
19 music video for an emerging artist and the removal of
20 the original URL is fatally toxic to a career.

21 27. Action is NEEDED NOW to stem the tide of
22 destruction that is a direct result of Defendants
23 conduct as hereinabove described. There are no adequate
24 remedies at law and clearly irreparable injuries will
25 occur without Defendants being enjoined now from their
26 career destroying conduct.
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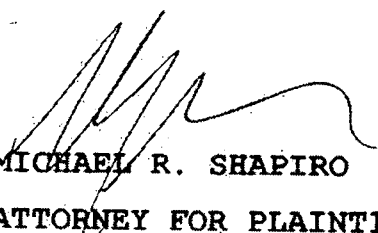
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7 WHEREFORE, Plaintiffs pray for judgment as
8 follows:
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- 10 1. Tort Damages according to proof;
11 2. Economic damages according to proof at the
12 time of trial;
13 3. Punitive damages in an amount deemed
14 appropriate by the Court but in a suggested
15 amount of not less than 10 million dollars;
16 4. An Injunction to prevent any further
17 conduct by Defendants Google and Does 1-10
18 from in any removing the original video
19 posted by Plaintiffs and to not, in any way,
20 alter or change the URL for that video;
21 5. For all costs of suit;
22 6. For such other and further relief as this
23 Court deems just and proper.
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REQUEST FOR JURY TRIAL

1 Plaintiffs hereby request a trial by jury for all
2 issues in this matter.

3
4 DATED: April 7, 2014


5 MICHAEL R. SHAPIRO
6 ATTORNEY FOR PLAINTIFFS
7 DARNAA LLC & DANA WRIGHT
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04 / 07 / 2014

3/28/2014

Fwd:

From: mickeymc <mickeymc@aol.com>

To: marcus <marcus@jacksonlitigation.com>; chriskable <chriskable@aol.com>

Subject: Fwd:

Date: Mon, Mar 24, 2014 8:21 pm

—Original Message—

From: 9147035491 <9147035491@vzwpx.com>

To: MickeyIMC <MickeyIMC@aol.com>

Sent: Mon, Mar 24, 2014 3:36 pm

YouTube took down my video without doing an audit claiming that bots must have been used. They didn't put a strike against me and they created a new URL and uploaded the video to that URL without my permission. Now people are seeing the notice because no one knows about the other URL and it is too late to change clear channel's ad campaign or to change the 3900 bloggers and internet articles that we published with the URL in it

04/07/2014

04/07/2014

3/28/2014

Fwd: YouTube Account Notification

On 2014-03-22 11:02, DARNAA wrote:

How do I get this to utube?

----- Forwarded message -----

From: "DARNAA" <damaamt@gmail.com>

Date: Mar 22, 2014 11:58 AM

Subject: Re: YouTube Account Notification

To: "YouTube" <noreply@youtube.com>

Cc:

Please restore my original URL to my youtube channel. I have no idea what you're talking about or what you're accusing me of doing but those are legitimate views which I have earned thru aggressive, heavy and expensive promotion of the video. The URL link for the video in question is embedded in thousand of websites and blogs. By the time we finish promoting the the artist and the video we anticipate 8 to 12 million people will have viewed it.

I launched a major \$300,000 campaign at South by Southwest music festival in Austin Texas where over 400,000 people literally saw a promotion of this video on a mobile video truck and in a 12,000 sf event tent where I hosted 40 bands.

Star Magazine and 10 other online magazines interviewed Damaa about the song and new video during the event.

The artist was also interviewed for 15 minutes on the KVUE Austin Texas segment of the Today Show last Saturday promoting this then venue and the video. At least 1 million people saw the interview and the link was placed on their website which is viewed by at least half a million people.

I have undertaken a massive \$250,000 promotion advertising campaign through Clear Channel iHeartRadio and its affiliates. an estimated 25 million people will see the URL link on her splash page during this campaign. The link is currently on their website where millions of people can see it.

My publicist recently sent a press release out through PR wire and PR web about the video release. More than 3900 online new services picked up the wire and ran it. All of those services give the URL for the video. The average viewership of each wire service is at least 100,000 a month.

I have also been promoting the upcoming releases this video for the past 2 months including a \$300,000 concert series at the howling wolf Club in New Orleans during NBA All Star weekend. This included paying for 15 billboards throughout New Orleans.

We already have several million views on several youtube videos with a far smaller promotion budget. We promoted those videos in the past almost exclusively through social media and through an extensive campaign with ReverbNation. Over the last year this has garnered us more than 20 million ReverbNation impressions.

The success of our past youtube video campaigns has embolden us to invest a massive amount of money to launch this artist. The campaign has already begun with thousand of sites and blogs sharing the URL link to the cowgirl video. If you don't do not restore the URL link to my channel you will of completely ruined the promotion of this artist. It is our estimation that this campaign will generates tens of millions of dollars in sales of her related record, concert tours and product endorsements which are already being negotiated.

If you google "damaa" or "#Cowgirl" you will understand how much legitimate exposure and promotion the video is getting. Our entire campaign is designed to drive legitimate traffic to the video and ultimately Amazon.com for record sales. You are interfering with our efforts because you have assumed we have violated TOU #4 SECTION H.

If the original URL is not re-installed on my channel by Monday you will have caused irreparable damage to my reputation, my business and the ultimate success of this campaign, all of which can be demonstrated and proven.

Respectfully

Dana J Wright

On Mar 21, 2014 6:35 PM, "YouTube" <noreply@youtube.com> wrote:

EX-2
2/4

EXHIBIT 3

04/07/2014

Declaration Under Penalty of Perjury

I, Dana J Wright, hereby declare under penalty of perjury the following:

1. I am a resident of the State of Connecticut and am the Manager/Member of DARNAA LLC, a Connecticut LLC.
2. DARNAA LLC was organized on January 11, 2012 under the Laws of the State of Connecticut.
3. DARNAA LLC owns all of the recording, music publishing, motion picture and TV rights, book rights, merchandising rights to the artist known as DARNAA.
4. The declarant is, in effect, the CEO of DARNAA LLC and is responsible totally for its operation.
5. DARNAA LLC acquired all of the aforementioned rights by an agreement dated January 4, 2010 between the artist DARNAA and Darnaa LLC.
6. The declarant has provided all of the operating capital to DARNAA LLC.
7. Declarant is a sophisticated marketing expert with specific expertise in digitally based marketing, advertising and merchandising as well as a very experienced music business professional.
8. Neither Declarant nor DARNAA LLC is part of nor has been supported or a "major record company" that has virtually unlimited resources to support the launch of a new artist's career.
9. To the contrary declarant has literally dug into his pocket to build a marketing campaign the centerpiece of which, by design, was to build traffic to the URL of the video, COWGIRL displaying the talent of artist Darnaa.
10. The video cost \$100,000 to produce. All of these funds came directly from Declarant. Declarant was devastated to learn that YOUTUBE had removed the video and abandoned its original URL on the unsubstantiated assertion that Darnaa Music had violated TOU #4 Section H. This naked assertion has been categorically denied by Declarant and an Appeal to that removal has apparently been ruled against. To make it clear, Declarant, Darnaa LLC and the artist Darnaa categorically deny this naked assertion conspicuous by the absence of any proof or evidence of any such violation.
11. The marketing plan that Declarant both created and funded contained the following components all of which were coordinated to create traffic to the URL of the COWGIRL video on YOUTUBE and in anticipation of the song, COWGIRL being offered to the public on ITUNES on April 1, 2014. With the behavior of YOUTUBE taking down the video, the effectiveness of the following components, if this video is not returned to YOUTUBE bearing its original URL will be negatively impacted.

i. PROMOTIONAL EVENTS FINANCED BY DECLARANT

1. SOUTH BY SOUTH MUSIC FEST (SXSW)-Declarant spent \$350,000 at SXSW for promotional activities before the April 1, 2014 ITUNES release date. All of those activities prominently indicated the original URL of the COW GIRL video. This promotional activity took place on March 13-16, 2014 in Austin, Texas. PRWEB on behalf of Declarant issued a press release promoting the SX SW event and the subject video picked up 3960 online blogs and news sources with combined viewership of more than 10 million readers.

04/02/14 09:17PM HPFAX

2. NBA ALL STAR WEEKEND-This activity in New Orleans took place on February 14-17, 2014 and consisted of significant promotional activities to highlight Darnaa and to drive traffic to the YOUTUBE posted video required an expenditure of an additional \$350,000.

ii. CLEAR CHANNEL RADIO CAMPAIGN

1. Clear Channel Communications (Largest radio group in the US) has a program known as a massive artist integration program linked to its radio marketing program. Our artist, Darnaa is only the 4th artist to be accepted into this powerful promotional engine. The cost of campaign to the Declarant (and Darnaa LLC) is between \$250,000 and \$300,000 dollars. The purpose of this campaign is to direct traffic to the YOUTUBE URL that displays the COW GIRL video. By removing this video and its original URL, the entire effectiveness of this expensive and powerful promotional engine has been badly compromised to the direct detriment of Declarant and to the career of Darnaa, the artist. It must be noted that the entire Clear Channel campaign was and is centered on directing traffic to various website that garner up to 25 million viewers to the original URL allowing the viewers to immediately click on to the video. Sadly, this is not now possible. It should be noted that a YOUTUBE video campaign is essential to promote an artist's music and develop a fan base that will purchase songs on ITUNES and AMAZON.com, purchase concert tickets and merchandise. Additionally no major record label/distributor will entertain the possibility of signing an artist without a high profile YOUTUBE presence and activity. The unjustified action of YOUTUBE in this instance makes that possibility gone.
2. 20 MILLION IMPESSIONS-Declarant has also engaged the services of REVERB nation who reports that as of today DARNAA has received in excess of 20 Million impressions. With the video and its original URL not now available due to the acts of YOUTUBE, it is highly likely that these impressions will never result in video viewing leading to sales of the music on I TUNES and AMAZON.com.

12. IRREPUTABLE DAMAGES

- a. Declarant's investment in the Darnaa campaign that is YOUTUBE video-centric will be diminished daily as the unavailability to members of the public attempting to click on to the original URL that has been promoted as noted above will not find the video. To the contrary, a visitor to that original URL will be informed by YOUTUBE that the posting of this video constituted a violation of YOUTUBE rules. The damage is thus two-fold; a viewer cannot see the video and the a viewer is left with the impression that DARNAA is a rule violator. Both of these messages can be career killers. Each day that passes with this conduct by YOUTUBE closes further the window of opportunity for DARNAA to have a career her talent so richly deserves. Without seeing the video it is highly unlikely that any such individual well seek out this music on either ITUNES or AMAZON.com. A mere action for damages will not address the emergency of this situation. Each day the video

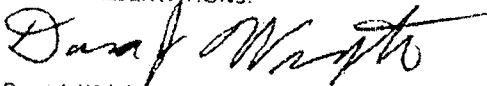
04/02/14

is removed and the original URL is not active, the destruction of Declarant's business continues. The Court must enjoin the behavior of YOUTUBE as by the time this matter can come to trial, Declarant will be out of business and a budding career will be no more. Each day that passes bring the destruction of Declarant's business and Darnaa career closer and closer. There simply is no adequate remedy at law to address this problem. The posted "violation" on the URL is damaging to the credibility of the artist and her image and reputation. More significantly, the timing of the planned campaign by the Declarant will be permanently compromised because it is essential that artist's debut single be released before established artists on major labels begin releasing new product in late April. It is axiomatic that a new artist cannot compete with an established artist backed by a major record company for airtime or shelf space. Declarant is NOT a major label and does not have the resources to lose this opportunity by the passage of time. In like manner, Darnaa the artist has only this one opportunity to realize her dreams. Action is required now to level the playing field for Declarant and artist.

- b. Equally disturbing is that a major concert tour that would have allowed Declarant to recoup its investment is now very much in doubt.
- c. In that there is no video now available on YOUTUBE with the original URL, the estimated sale of between 1 and 2 million singles and an additional 7-8 million revenue rich streams have now been compromised if not totally lost. Each day that the status quo continues, the damages to Declarant continue to mount.
- d. The "end game" for Declarant and Darnaa was to create a success not unlike Lady Gaga and then enter into a licensing agreement with either Warner Music Group, Sony or Universal Music Group with an anticipated multi-year licensing deal of between 20 to 25 million dollars.
- e. Because of the behavior of YOUTUBE, instead of this scenario what was carefully crafted and financed by Declarant and DARNAA LLC to the total amount of, \$1,150,000 the net result of YOUTUBE's behavior has, instead, resulted in 3,960 internet blogs and a publisher press release that indicates that the Darnaa video was removed from YOUTUBE for violation of YOUTUBE'S TOS.
- f. If the Court will enjoin the ability of YOUTUBE to continue to remove the subject video and to have the original URL active, the damages can be mitigated. If the Court does not act, there is no adequate remedy at law as the "bleeding must be stopped" and done so immediately or a million dollar investment will be lost as well as the career of a uniquely and highly talented artist, Darnaa.

I DECLARE THE ABOVE TO BE TRUTHFUL AND HONEST AND IF I WAS CALLED TO TESTIFY TO ANY OF THE ABOVE I WOULD DO SO WITHOUT ANY RESERVATIONS.

Dated: April 2, 2014


Dana J. Wright, Individually and on behalf of
DARNAA, LLC

04/02/2014

ORIGINAL CM-010

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): Michael R. Shapiro, A Professional Corporation SBN: 37011 612 N. Sepulveda Blvd. Suite 11 Los Angeles, California 90049 TELEPHONE NO.: 310-472-8900 FAX NO.: 310-472-4600 ATTORNEY FOR (Name): Darnaa, LLC and Dana J. Wright		FOR COURT USE ONLY FILED Superior Court of California County of Los Angeles APR 07 2014 Sherri R. Carter, Executive Officer/Clerk By <u>Cristina Grijalva</u> Deputy Cristina Grijalva	
SUPERIOR COURT OF CALIFORNIA, COUNTY OF Los Angeles STREET ADDRESS: 111 N. Hill Street MAILING ADDRESS: CITY AND ZIP CODE: Los Angeles, CA 90049 BRANCH NAME: Central District, Stanley Mosk Courthouse			
CASE NAME: Darnaa, LLC and Dana J. Wright vs. GOOGLE INC			
CIVIL CASE COVER SHEET <input checked="" type="checkbox"/> Unlimited (Amount demanded exceeds \$25,000) <input type="checkbox"/> Limited (Amount demanded is \$25,000 or less) <input type="checkbox"/> Counter <input type="checkbox"/> Joinder Filed with first appearance by defendant (Cal. Rules of Court, rule 3.402)		CASE NUMBER: BC 541796 JUDGE: DEPT:	

Items 1-6 below must be completed (see instructions on page 2).

1. Check one box below for the case type that best describes this case:

Auto Tort <input type="checkbox"/> Auto (22) <input type="checkbox"/> Uninsured motorist (46) Other PI/PD/WD (Personal Injury/Property Damage/Wrongful Death) Tort <input type="checkbox"/> Asbestos (04) <input type="checkbox"/> Product liability (24) <input type="checkbox"/> Medical malpractice (45) <input type="checkbox"/> Other PI/PD/WD (23) Non-PI/PD/WD (Other) Tort <input checked="" type="checkbox"/> Business tort/unfair business practice (07) <input type="checkbox"/> Civil rights (08) <input type="checkbox"/> Defamation (13) <input type="checkbox"/> Fraud (16) <input type="checkbox"/> Intellectual property (19) <input type="checkbox"/> Professional negligence (25) <input type="checkbox"/> Other non-PI/PD/WD tort (35) Employment <input type="checkbox"/> Wrongful termination (36) <input type="checkbox"/> Other employment (15)	Contract <input type="checkbox"/> Breach of contract/warranty (06) <input type="checkbox"/> Rule 3.740 collections (09) <input type="checkbox"/> Other collections (09) <input type="checkbox"/> Insurance coverage (18) <input type="checkbox"/> Other contract (37) Real Property <input type="checkbox"/> Eminent domain/Inverse condemnation (14) <input type="checkbox"/> Wrongful eviction (33) <input type="checkbox"/> Other real property (26) Unlawful Detainer <input type="checkbox"/> Commercial (31) <input type="checkbox"/> Residential (32) <input type="checkbox"/> Drugs (38) Judicial Review <input type="checkbox"/> Asset forfeiture (05) <input type="checkbox"/> Petition re: arbitration award (11) <input type="checkbox"/> Writ of mandate (02) <input type="checkbox"/> Other judicial review (39)	Provisionally Complex Civil Litigation (Cal. Rules of Court, rules 3.400-3.403) <input type="checkbox"/> Antitrust/Trade regulation (03) <input type="checkbox"/> Construction defect (10) <input type="checkbox"/> Mass tort (40) <input type="checkbox"/> Securities litigation (28) <input type="checkbox"/> Environmental/Toxic tort (30) <input type="checkbox"/> Insurance coverage claims arising from the above listed provisionally complex case types (41) Enforcement of Judgment <input type="checkbox"/> Enforcement of judgment (20) Miscellaneous Civil Complaint <input type="checkbox"/> RICO (27) <input type="checkbox"/> Other complaint (not specified above) (42) Miscellaneous Civil Petition <input type="checkbox"/> Partnership and corporate governance (21) <input type="checkbox"/> Other petition (not specified above) (43)
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2. This case ☐ is ☒ is not complex under rule 3.400 of the California Rules of Court. If the case is complex, mark the factors requiring exceptional judicial management:
- | | |
|--|--|
| a. <input type="checkbox"/> Large number of separately represented parties | d. <input type="checkbox"/> Large number of witnesses |
| b. <input type="checkbox"/> Extensive motion practice raising difficult or novel issues that will be time-consuming to resolve | e. <input type="checkbox"/> Coordination with related actions pending in one or more courts in other counties, states, or countries, or in a federal court |
| c. <input type="checkbox"/> Substantial amount of documentary evidence | f. <input type="checkbox"/> Substantial postjudgment judicial supervision |
3. Remedies sought (check all that apply): a. ☒ monetary b. ☒ nonmonetary; declaratory or injunctive relief c. ☒ punitive
4. Number of causes of action (specify):
5. This case ☐ is ☒ is not a class action suit.
6. If there are any known related cases, file and serve a notice of related case. (You may use form CM-015.)

Date: 4/7/2014

Michael R. Shapiro

(TYPE OR PRINT NAME)

(SIGNATURE OF PARTY OR ATTORNEY FOR PARTY)

NOTICE

- Plaintiff must file this cover sheet with the first paper filed in the action or proceeding (except small claims cases or cases filed under the Probate Code, Family Code, or Welfare and Institutions Code). (Cal. Rules of Court, rule 3.220.) Failure to file may result in sanctions.
- File this cover sheet in addition to any cover sheet required by local court rule.
- If this case is complex under rule 3.400 et seq. of the California Rules of Court, you must serve a copy of this cover sheet on all other parties to the action or proceeding.
- Unless this is a collections case under rule 3.740 or a complex case, this cover sheet will be used for statistical purposes only.

Page 1 of 2

ORIGINAL

SHORT TITLE: Damaa, LLC and Dana L. Wright vs. GOOGLE, INC

CASE NUMBER

BC541796

**CIVIL CASE COVER SHEET ADDENDUM AND
STATEMENT OF LOCATION
(CERTIFICATE OF GROUNDS FOR ASSIGNMENT TO COURTHOUSE LOCATION)**

BY FAX

This form is required pursuant to Local Rule 2.0 in all new civil case filings in the Los Angeles Superior Court.

Item I. Check the types of hearing and fill in the estimated length of hearing expected for this case:

JURY TRIAL? ☒ YES CLASS ACTION? ☐ YES LIMITED CASE? ☐ YES TIME ESTIMATED FOR TRIAL 7 ☐ HOURS/ ☒ DAYS

Item II. Indicate the correct district and courthouse location (4 steps – If you checked "Limited Case", skip to Item III, Pg. 4):

Step 1: After first completing the Civil Case Cover Sheet form, find the main Civil Case Cover Sheet heading for your case in the left margin below, and, to the right in Column **A**, the Civil Case Cover Sheet case type you selected.

Step 2: Check one Superior Court type of action in Column **B** below which best describes the nature of this case.

Step 3: In Column **C**, circle the reason for the court location choice that applies to the type of action you have checked. For any exception to the court location, see Local Rule 2.0.

Applicable Reasons for Choosing Courthouse Location (see Column C below)

- | | |
|---|--|
| 1. Class actions must be filed in the Stanley Mosk Courthouse, central district.
2. May be filed in central (other county, or no bodily injury/property damage).
3. Location where cause of action arose.
4. Location where bodily injury, death or damage occurred.
5. Location where performance required or defendant resides. | 6. Location of property or permanently garaged vehicle.
7. Location where petitioner resides.
8. Location wherein defendant/respondent functions wholly.
9. Location where one or more of the parties reside.
10. Location of Labor Commissioner Office. |
|---|--|

Step 4: Fill in the information requested on page 4 in Item III; complete Item IV. Sign the declaration.

	A Civil Case Cover Sheet Category No.	B Type of Action (Check only one)	C Applicable Reasons See Step 3 Above
Auto Tort	Auto (22)	<input type="checkbox"/> A7100 Motor Vehicle – Personal Injury/Property Damage/Wrongful Death	1., 2., 4.
	Uninsured Motorist (46)	<input type="checkbox"/> A7110 Personal Injury/Property Damage/Wrongful Death – Uninsured Motorist	1., 2., 4.
Other Personal Injury/Property Damage/Wrongful Death Tort	Asbestos (04)	<input type="checkbox"/> A6070 Asbestos Property Damage <input type="checkbox"/> A7221 Asbestos – Personal Injury/Wrongful Death	2. 2.
	Product Liability (24)	<input type="checkbox"/> A7260 Product Liability (not asbestos or toxic/environmental)	1., 2., 3., 4., 8.
	Medical Malpractice (45)	<input type="checkbox"/> A7210 Medical Malpractice – Physicians & Surgeons <input type="checkbox"/> A7240 Other Professional Health Care Malpractice	1., 4. 1., 4.
	Other Personal Injury Property Damage Wrongful Death (23)	<input type="checkbox"/> A7250 Premises Liability (e.g., slip and fall) <input type="checkbox"/> A7230 Intentional Bodily Injury/Property Damage/Wrongful Death (e.g., assault, vandalism, etc.) <input type="checkbox"/> A7270 Intentional Infliction of Emotional Distress <input type="checkbox"/> A7220 Other Personal Injury/Property Damage/Wrongful Death	1., 4. 1., 4. 1., 3. 1., 4.

SHORT TITLE:

Damaa, LLC and Dana L. Wright vs. GOOGLE, INC

CASE NUMBER

Non-Personal Injury/Property
Damage/ Wrongful Death Tort

Employment

Contract

Real Property

Unlawful Detainer

A Civil Case Cover Sheet Category No	B Type of Action (Check only one)	C Applicable Reasons See Step 3 Above
Business Tort (07)	<input checked="" type="checkbox"/> A6029 Other Commercial/Business Tort (not fraud/breach of contract)	1., 3.
Civil Rights (08)	<input type="checkbox"/> A6005 Civil Rights/Discrimination	1., 2., 3.
Defamation (13)	<input type="checkbox"/> A6010 Defamation (slander/libel)	1., 2., 3.
Fraud (16)	<input type="checkbox"/> A6013 Fraud (no contract)	1., 2., 3.
Professional Negligence (25)	<input type="checkbox"/> A6017 Legal Malpractice <input type="checkbox"/> A6050 Other Professional Malpractice (not medical or legal)	1., 2., 3. 1., 2., 3.
Other (35)	<input type="checkbox"/> A6025 Other Non-Personal Injury/Property Damage tort	2., 3.
Wrongful Termination (36)	<input type="checkbox"/> A6037 Wrongful Termination	1., 2., 3.
Other Employment (15)	<input type="checkbox"/> A6024 Other Employment Complaint Case <input type="checkbox"/> A6109 Labor Commissioner Appeals	1., 2., 3. 10.
Breach of Contract/ Warranty (06) (not insurance)	<input type="checkbox"/> A6004 Breach of Rental/Lease Contract (not unlawful detainer or wrongful eviction) <input type="checkbox"/> A6008 Contract/Warranty Breach -Seller Plaintiff (no fraud/negligence) <input type="checkbox"/> A6019 Negligent Breach of Contract/Warranty (no fraud) <input type="checkbox"/> A6028 Other Breach of Contract/Warranty (not fraud or negligence)	2., 5. 2., 5. 1., 2., 5. 1., 2., 5.
Collections (09)	<input type="checkbox"/> A6002 Collections Case-Seller Plaintiff <input type="checkbox"/> A6012 Other Promissory Note/Collections Case	2., 5., 6. 2., 5.
Insurance Coverage (18)	<input type="checkbox"/> A6015 Insurance Coverage (not complex)	1., 2., 5., 8.
Other Contract (37)	<input type="checkbox"/> A6009 Contractual Fraud <input type="checkbox"/> A6031 Tortious Interference <input type="checkbox"/> A6027 Other Contract Dispute(not breach/insurance/fraud/negligence)	1., 2., 3., 5. 1., 2., 3., 5. 1., 2., 3., 8.
Eminent Domain/Inverse Condemnation (14)	<input type="checkbox"/> A7300 Eminent Domain/Condemnation Number of parcels_____	2.
Wrongful Eviction (33)	<input type="checkbox"/> A6023 Wrongful Eviction Case	2., 6.
Other Real Property (26)	<input type="checkbox"/> A6018 Mortgage Foreclosure <input type="checkbox"/> A6032 Quiet Title <input type="checkbox"/> A6060 Other Real Property (not eminent domain, landlord/tenant, foreclosure)	2., 6. 2., 6. 2., 6.
Unlawful Detainer-Commercial (31)	<input type="checkbox"/> A6021 Unlawful Detainer-Commercial (not drugs or wrongful eviction)	2., 6.
Unlawful Detainer-Residential (32)	<input type="checkbox"/> A6020 Unlawful Detainer-Residential (not drugs or wrongful eviction)	2., 6.
Unlawful Detainer- Post-Foreclosure (34)	<input type="checkbox"/> A6020F Unlawful Detainer-Post-Foreclosure	2., 6.
Unlawful Detainer-Drugs (38)	<input type="checkbox"/> A6022 Unlawful Detainer-Drugs	2., 6.

SHORT TITLE:

Damaa, LLC and Dana L. Wright vs. GOOGLE, INC

CASE NUMBER

A Civil Case Cover Sheet Category No.	B Type of Action (Check only one)	C Applicable Reasons - See Step 3 Above
Asset Forfeiture (05)	<input type="checkbox"/> A6108 Asset Forfeiture Case	2., 6.
Petition re Arbitration (11)	<input type="checkbox"/> A6115 Petition to Compel/Confirm/Vacate Arbitration	2., 6.
Writ of Mandate (02)	<input type="checkbox"/> A6151 Writ - Administrative Mandamus <input type="checkbox"/> A6152 Writ - Mandamus on Limited Court Case Matter <input type="checkbox"/> A6153 Writ - Other Limited Court Case Review	2., 8. 2. 2.
Other Judicial Review (39)	<input type="checkbox"/> A6150 Other Writ /Judicial Review	2., 8.
Antitrust/Trade Regulation (03)	<input type="checkbox"/> A6003 Antitrust/Trade Regulation	1., 2., 8.
Construction Defect (10)	<input type="checkbox"/> A6007 Construction Defect	1., 2., 3.
Claims Involving Mass Tort (40)	<input type="checkbox"/> A6006 Claims Involving Mass Tort	1., 2., 8.
Securities Litigation (28)	<input type="checkbox"/> A6035 Securities Litigation Case	1., 2., 8.
Toxic Tort Environmental (30)	<input type="checkbox"/> A6036 Toxic Tort/Environmental	1., 2., 3., 8.
Insurance Coverage Claims from Complex Case (41)	<input type="checkbox"/> A6014 Insurance Coverage/Subrogation (complex case only)	1., 2., 5., 8.
Enforcement of Judgment (20)	<input type="checkbox"/> A6141 Sister State Judgment <input type="checkbox"/> A6160 Abstract of Judgment <input type="checkbox"/> A6107 Confession of Judgment (non-domestic relations) <input type="checkbox"/> A6140 Administrative Agency Award (not unpaid taxes) <input type="checkbox"/> A6114 Petition/Certificate for Entry of Judgment on Unpaid Tax <input type="checkbox"/> A6112 Other Enforcement of Judgment Case	2., 9. 2., 6. 2., 9. 2., 8. 2., 8. 2., 8., 9.
RICO (27)	<input type="checkbox"/> A6033 Racketeering (RICO) Case	1., 2., 8.
Other Complaints (Not Specified Above) (42)	<input type="checkbox"/> A6030 Declaratory Relief Only <input type="checkbox"/> A6040 Injunctive Relief Only (not domestic/harassment) <input type="checkbox"/> A6011 Other Commercial Complaint Case (non-tort/non-complex) <input type="checkbox"/> A6000 Other Civil Complaint (non-tort/non-complex)	1., 2., 8. 2., 8. 1., 2., 8. 1., 2., 8.
Partnership Corporation Governance (21)	<input type="checkbox"/> A6113 Partnership and Corporate Governance Case	2., 8.
Other Petitions (Not Specified Above) (43)	<input type="checkbox"/> A6121 Civil Harassment <input type="checkbox"/> A6123 Workplace Harassment <input type="checkbox"/> A6124 Elder/Dependent Adult Abuse Case <input type="checkbox"/> A6190 Election Contest <input type="checkbox"/> A6110 Petition for Change of Name <input type="checkbox"/> A6170 Petition for Relief from Late Claim Law <input type="checkbox"/> A6100 Other Civil Petition	2., 3., 9. 2., 3., 9. 2., 3., 9. 2. 2., 7. 2., 3., 4., 8. 2., 9.

SHORT TITLE:

Damaa, LLC and Dana L. Wright vs. GOOGLE, INC

CASE NUMBER

Item III. Statement of Location: Enter the address of the accident, party's residence or place of business, performance, or other circumstance indicated in Item II., Step 3 on Page 1, as the proper reason for filing in the court location you selected.

REASON: Check the appropriate boxes for the numbers shown under Column C for the type of action that you have selected for this case. <input checked="" type="checkbox"/> 1. <input type="checkbox"/> 2. <input type="checkbox"/> 3. <input type="checkbox"/> 4. <input type="checkbox"/> 5. <input type="checkbox"/> 6. <input type="checkbox"/> 7. <input type="checkbox"/> 8. <input type="checkbox"/> 9. <input type="checkbox"/> 10.		ADDRESS: 1600 Amphitheatre Parkway
CITY: Mountain View	STATE: CA	ZIP CODE: 94043

Item IV. Declaration of Assignment: I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that the above-entitled matter is properly filed for assignment to the Stanley Mosk courthouse in the Central District of the Superior Court of California, County of Los Angeles [Code Civ. Proc., § 392 et seq., and Local Rule 2.0, subds. (b), (c) and (d)].

Dated: 4/7/2014

 (SIGNATURE OF ATTORNEY/FILING PARTY)

PLEASE HAVE THE FOLLOWING ITEMS COMPLETED AND READY TO BE FILED IN ORDER TO PROPERLY COMMENCE YOUR NEW COURT CASE:

1. Original Complaint or Petition.
2. If filing a Complaint, a completed Summons form for issuance by the Clerk.
3. Civil Case Cover Sheet, Judicial Council form CM-010.
4. Civil Case Cover Sheet Addendum and Statement of Location form, LACIV 109, LASC Approved 03-04 (Rev. 03/11).
5. Payment in full of the filing fee, unless fees have been waived.
6. A signed order appointing the Guardian ad Litem, Judicial Council form CIV-010, if the plaintiff or petitioner is a minor under 18 years of age will be required by Court in order to issue a summons.
7. Additional copies of documents to be conformed by the Clerk. Copies of the cover sheet and this addendum must be served along with the summons and complaint, or other initiating pleading in the case.

04/07/2014

General Information

Court	Superior Court of California,County of Los Angeles
Docket Number	BC541796
Status	Open